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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

SECURITIES AND EXCHANGE COMMISSION, | Case No. CV-12-1288-EMC

Plaintiff,

v.

JAMES MICHAEL MURRAY.

Defendant.

and

EVENT TRADING GP, LLC

Relief Defendant

Case No. CV-12-1288-EMC

**PLAINTIFF'S UPDATED CASE
MANAGEMENT CONFERENCE
STATEMENT ; order resetting cmc**

Case Management Conference

Date: May 21, 2015

Date: May 21,
Time: 9:30 a.m.

Honorable Edward M. Chen
Courtroom 5, 17th Floor

Pursuant to Civil Local Rule 16-9 of the United States District Court for the Northern District of California, plaintiff Securities and Exchange Commission (“Commission”) submits the following Updated Case Management Statement.

1 This case concerns alleged violations of the federal securities laws by defendant James
 2 Michael Murray. As alleged in the Commission's Supplemental First Amended Complaint, Murray
 3 served as investment adviser for Market Neutral Trading, LLC ("MNT"), an investment fund he
 4 controlled. The Commission's complaint further alleges that in 2008, Murray raised approximately
 5 \$2 million from investors and distributed to investors a purported audit report from a fictitious firm
 6 created by Murray that overstated the fund's financial results. The complaint also alleges that in
 7 2011 and 2012, Murray raised an additional \$5 million, soliciting investors using financial statements
 8 and marketing materials that materially misstated the financial condition and performance of the
 9 fund, as well as the amount of assets it had.

10 On August 28, 2012, this Court issued an order granting defendant Murray's motion to stay
 11 the proceedings in this case pending the resolution of the related criminal proceeding against him
 12 (*United States v. Murray*, Case No. 3:12-cr-00278-EMC (N.D. Cal.)) (the "Criminal Action"). The
 13 trial in the Criminal Action is scheduled to begin on September 21, 2015.

14 In light of the Court's stay order, and the fact that the Criminal Action is still ongoing, the
 15 parties have suspended the instant litigation and have not created a discovery plan or met and
 16 conferred regarding a proposed schedule in this matter. To that end, the Commission's efforts to
 17 serve and contact the defendant in this matter have been unsuccessful. Accordingly, the Commission
 18 has no report to make to the Court at this time.

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21 DATED: May 19, 2015

Respectfully submitted,

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23 IT IS SO ORDERED that the CMC is reset
24 to 11/12/15 at 9:30 a.m. An updated joint
cmc statement shall be filed by 11/5/15.

25 Edward M. Chen
U.S. District Judge

/s/ Jason M. Habermeyer

Jason M. Habermeyer
Attorney for Plaintiff
SECURITIES AND EXCHANGE
COMMISSION

